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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 ANTOLIN ANDREW MARKS,
10 Plaintiff,
11 v.
12 MICHAEL MUKASEY, *et al.*,
13 Defendants.

No. MC08-5045

ORDER

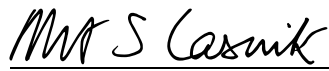
14 This matter comes before the Court *sua sponte*. On March 24, 2008, the
15 Honorable Franklin D. Burgess, United States District Court Judge, entered an order barring
16 plaintiff from litigating in this district unless he provides a “signed affidavit, along with the
17 proposed complaint, verifying under penalty of perjury that none of the issues raised in the
18 proposed complaint have been litigated in the past by the [p]laintiff.” Plaintiff was also barred
19 from proceeding *in forma pauperis* unless he shows that he is in imminent danger of serious
20 bodily injury or death. On December 8, 2008, plaintiff filed a complaint and an application to
21 proceed *in forma pauperis* in the United States District Court for the District of Columbia. The
22 matter was deemed a challenge to plaintiff’s detention by Immigration and Custom Enforcement
23 and transferred to this district. Dkt. # 17. The complaint is now before the undersigned for
24 review pursuant to the terms of the bar order.

25 Plaintiff’s submission does not satisfy the March 24, 2008, bar order. Plaintiff has
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ORDER

1 not verified, under penalty of perjury, that the claims asserted have not already been litigated.
2 The new action transferred from the District of Columbia (Dkt. # 17) shall not be permitted to
3 proceed. The Clerk of Court shall docket this order in MC08-5045. Neither the Clerk of Court
4 nor defendants need take any further action with regards to this matter.

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6 Dated this 23rd day of January, 2009.

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9 Robert S. Lasnik

10 Chief Judge, United States District Court
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